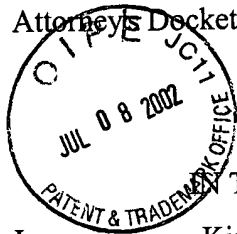


Attorney's Docket No. 5839-2 (42960/196219)



1638  
PATENT

82-02  
attachment

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kipp *et al.* Confirmation No.: 5324  
Appl. No.: 10/029,065 Group Art Unit: 1638  
Filed: December 20, 2001 Examiner: Not yet assigned  
For: PLANT MSH2 SEQUENCES AND METHODS OF USE

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Commissioner for Patents  
Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT  
CITATION UNDER 37 C.F.R. § 1.97**

Sir:

Attached is a list of documents on form PTO-1449 together with a copy of each identified document. It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Respectfully submitted,

Leslie T. Henry  
Registration No. 45,714

<p><b>Customer No. 00826</b> <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260</p>	<p><u>CERTIFICATE OF MAILING</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Washington, DC 20231, on June 26, 2002.</p> <p>Marilyn Muñoz</p>
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Substitute for form 1449A/PTO  
(Revised 10/2001)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 2

**Complete if Known**

Application Number 10/029,065  
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First Named Inventor Kipp  
Group Art Unit 1638  
Examiner Name Not yet assigned  
Attorney Docket Number 5839-2 (42960/196219)

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**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
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	2	ADE, J., <i>et al.</i> , "Four Mismatch Repair Paralogues Coexist in <i>Arabidopsis thaliana</i> : <i>AtMSH2</i> , <i>AtMSH3</i> , <i>AtMSH6-1</i> and <i>AtMSH6-2</i> ," <i>Mol. Gen. Genet.</i> , 1999, pp. 239-249, Vol. 262, Springer-Verlag.	
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Examiner  
Signature

Date

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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 2 of 2

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Application Number	10/029,065
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First Named Inventor	Kipp
Group Art Unit	1638
Examiner Name	Not yet assigned
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**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

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	8	CULLIGAN, K., et al., "Evolutionary Origin, Diversification and Specialization of Eukaryotic MutS Homolog Mismatch Repair Proteins," <i>Nucleic Acids Research</i> , 2000, pp. 463-471, Vol. 28, Oxford University Press.	
	9	DROTSCHMANN, K., et al., "Mutator Phenotypes of Yeast Strains Heterozygous for Mutations in the <i>MSH2</i> Gene," <i>Proc. Natl. Acad. Sci. USA</i> , March 1999, pp. 2970-2975, Vol. 96.	
	10	HOHN, B., and H. PUCHTA, "Gene Therapy in Plants," <i>Proc. Natl. Acad. Sci. USA</i> , July 1999, pp. 8321-8323, Vol. 96.	
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	25	GenBank Report for Accession No. AJ245967, Direct Submission on August 20, 1999.	

Examiner Signature	Date Considered
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